

210145US00
10/076,064
Art Unit: 1714

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REMARKS

1. *Status of Claims*

Prior to entry of the amendments, claims 1-32 were pending with claims 7-10, 16-22 and 24 allowed, claims 11-15 and 23 rejected under 35 U.S.C. §112, and claims 1-6 and 25-32 withdrawn from consideration. Applicants wish to thank the Examiner indicating the allowability of claims 7-10, 16-22 and 24. After entry of the claim amendments, claims 7-24 are pending and under consideration.

2. *Claim Amendments*

Claims 1-6 and 25-32 have been canceled. Claim 11 has been amended to use proper Markush group language and use commas to separate the Markush group members. Claims 13, 15, and 23 have been amended to correct antecedent basis issues noted by in the Office Action dated June 30, 2005. Applicants believe that no new matter has been introduced by the amendments made herein.

3. *Claim Rejections under 35 U.S.C. §112*

Claims 11, 13-15, and 23 have been rejected under 35 U.S.C. §112 as being "indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as their invention." Specifically, Page 2 of the Office Action dated June 30, 2005, states that claim 11 is confusing due to the use of semicolons instead of commas to separate the members of the "A" group. Additionally, claims 13-15 and claim 23 were rejected due to insufficient antecedent basis for the phrase "the oxygen barrier layer." Applicants note that no formal reason was provided for the rejection of claim 12 and have assumed that claim 12 stands rejected for depending from a rejected claim.

Claims 11, 13, 15, and 23 have been amended to more distinctly state the subject matter which the applicants hold as their invention. Specifically, claim 11 has been amended to use proper Markush group language and use commas to separate Markush group members. Claims 13, 15, and 23 have been amended to remove the phrase "the oxygen barrier layer." Thus, the rejection of claims 13-15 and claim 23 for insufficient antecedent basis for the phrase "the oxygen barrier layer" is now moot.

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4. *Final Remarks*

In view of the amendments set forth above, the Applicants respectfully submit that pending claims 7-24 are in condition for allowance. The Examiner is invited to contact the undersigned patent attorney at (832) 813-4339 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Hu Yang, et al.

Serial No.: 10/076,064

Filed: February 14, 2002

For: OXYGEN SCAVENGING COMPOSITIONS
COMPRISING POLYMERS DERIVED FROM
BENZENEDIMETHANOL MONOMERS

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Group Art Unit: 1714

Examiner: Joseph D. Anthony

Atty Docket: 210145US00

Customer No. 32223

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ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73
AND POWER OF ATTORNEY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Sir:

The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an Assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor(s).

The Assignee hereby revokes any previous Powers of Attorney and appoints attorneys associated with Customer No.: 32223, as its attorneys with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to CHEVRON PHILLIPS CHEMICAL COMPANY, LP referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all communications as follows:

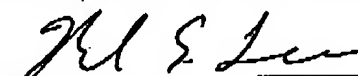
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9/21/2005

By:



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ASSIGNMENT:

Enclosed for recording
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Date: May 17, 2002
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